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October 7, 2002

Marlene H. Dortch, Secretary
Federal Communications Commission
Washington, D.C. 20554

Re: CC Docket No. 94-102, ex parte communication

Dear Ms. Dortch:

This is to advise of a meeting with Wireless Telecommunications Bureau Policy Division Chief Barry Ohlson and members of his staff on Wednesday, October 2, 2002, by John Melcher, President of the National Emergency Number Association ("NENA"), NENA Executive Director James Goerke and the undersigned. Bureau Chief Tom Sugrue and Deputy Bureau Chief Jim Schlichting also were present for a portion of the meeting.

NENA reiterated its prior record views about the Verizon Wireless proposal to amend Section 20.18(j) in the context of reconsideration of the *Richardson* order on PSAP readiness in requesting wireless E911 Phase II service. We noted that the 911 authorities and Verizon (joined by Sprint PCS) did not appear to be far apart on these issues and promised to attempt trilateral discussion. We specifically reemphasized our belief that PSAP requests valid under the current rule should not be invalidated automatically by the mere passage of time, despite both carriers' advocacy of retroactive effect for the proposed amendment. There was discussion of the ATIS Emergency Services Interconnection Forum ("ESIF") effort to develop a readiness checklist that would have carrier and public safety endorsement.

Mr. Melcher expressed his frustration over the degree to which the requirement of service to non-service-initialized ("NSI") phones appeared to be premised on access to 911 as an "entitlement." He pointed out that emergency calling systems are serious expenditures for both carriers and Public Safety Answering Points ("PSAPs"), and said he felt it was time to make sure that all phones, even those used for charitable purposes, be registered as if "subscribed."

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The NENA representatives also said that the future path for 911 access should move away from a historic dependence on the wire telephone companies' installed base and toward more cost-effective and "national" means of delivering the service independently of LATA and state boundaries -- even if this meant FCC, state PUC and/or Congressional action. NENA said it is working on such a transition. The representatives asked for continuing FCC help in developing a consistent interpretation of RBOC exemptions, for 911 purposes, from the interLATA restrictions of Sections 271 and 272 of the Communications Act.

Differences between media perception of slow or stalled wireless E911 progress and the solid accomplishments of some carriers in some areas were discussed. The FCC staff expressed its concern that new LEC tariffs for 911 services to both wireless carriers and PSAPs not become inhibitions to future implementation.

Please direct any questions to the undersigned.

Sincerely,

James R. Hobson

cc: Jim Schlichting, Barry Ohlson

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